

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**IN RE THE COMPLAINT AND
PETITION OF TRITON ASSET LEASING
GmbH, TRANSOCEAN HOLDINGS LLC,
TRANSOCEAN OFFSHORE DEEPWATER
DRILLING INC., AND TRANSOCEAN
DEEPWATER INC., AS OWNER, MANAGING
OWNERS, OWNERS PRO-HAC VICE,
AND/OR OPERATORS OF THE MODU
DEEPWATER HORIZON, IN A CAUSE FOR
EXONERATION FROM OR LIMITATION
OF LIABILITY**

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C.A. NO.

10-1721

Fed. R. Civ. P. 9(h)

IN ADMIRALTY

ORDER APPROVING AD INTERIM STIPULATION

A Complaint and Petition having been filed herein on the 13th day of May, 2010, by Petitioners Triton Asset Leasing GmbH, Transocean Holdings LLC, Transocean Offshore Deepwater Drilling Inc., and Transocean Deepwater Inc., as Owner, Managing Owners, Owners *Pro Hac Vice*, and/or Operators, of the MODU *Deepwater Horizon*, her engines, gear, tackle, appurtenances, etc., claiming the benefit of Limitation of Liability as provided for in the Act of Congress entitled "An Act to Limit Liability of Shipowners and for Other Purposes" passed March 3, 1851, now embodied in 46 U.S.C.A. §§ 30501, *et seq.*, and the statutes supplementary thereto, and amendatory thereof, and Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, and also contesting their liability independently of the limitation of liability claim under said Act for any loss, damage, personal injuries, death or destruction resulting from or arising during the voyage described in said Complaint and Petition, and said Complaint and Petition also stating the facts and circumstances on which such exoneration from or limitation of liability is claimed; and on hearing counsel for

Petitioners and on considering the Complaint and Petition which is on file herein, the affidavits of value and pending freight attached thereto, and upon Petitioners' agreement to make such increases or decreases in the *Ad Interim* Stipulation and its form as the Court may from time to time require when the value of Petitioners' interest in said vessel and her then pending freight can be more definitely ascertained, the Court finds that an *Ad Interim* stipulation in the amount of TWENTY-SIX MILLION, SEVEN HUNDRED SIXTY-FOUR THOUSAND AND EIGHTY-THREE AND NO/100 DOLLARS (\$26,764,083.00) is adequate to fully cover the value of Petitioners' interest in the MODU *Deepwater Horizon*, etc., and then pending freight, if any.

Now on motion of the Attorney-in-Charge for Petitioners, it is hereby,

ORDERED, that Petitioners file herein an *Ad Interim* Stipulation, for the value of Petitioners' interest in the MODU *Deepwater Horizon*, etc., and her then pending freight, if any, as fixed by the Court herein in the amount of TWENTY-SIX MILLION, SEVEN HUNDRED SIXTY-FOUR THOUSAND AND EIGHTY-THREE AND NO/100 DOLLARS (\$26,764,083.00), including interest at 6% per annum from this date, with both Petitioner and its surety subject to such increases or decreases in the amount of such *Ad Interim* Stipulation as the Court may from time to time order according to the rules and practices of this Court; and it is further,

ORDERED, that any party, including Petitioners, may apply to have the amount of said *Ad Interim* Stipulation increased or decreased, as the case may be, on the filing of the report of the commissioner appointed, if any, to appraise the amount or value of Petitioners' interest in the said vessel and her then pending freight, or upon the ultimate determination by the Court on

exceptions to the Commissioner's report; and it is further,

ORDERED, that if the amount of said *Ad Interim* Stipulation is not contested by any claimant herein, said *Ad Interim* stipulation shall stand as a Stipulation for Value and appraisal by a commissioner will not be required.

DONE at Houston, Texas, this 13th day of May, 2010.


UNITED STATES DISTRICT JUDGE

APPROVED AND ENTRY REQUESTED:

By: 

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**ATTORNEY IN CHARGE FOR PETITIONERS
TRITON ASSET LEASING GMBH, TRANSOCEAN
HOLDINGS LLC, TRANSOCEAN OFFSHORE
DEEPWATER DRILLING INC., AND
TRANSOCEAN DEEPWATER INC.**